



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

BAR-OR et al.

Serial No.: 09/820,416

Filed: March 29, 2001

Atty. File No.: 4172-15-1

For: "MARKER USEFUL FOR DETECTION
AND MEASUREMENT OF FREE
RADICAL DAMAGE AND METHOD"

Group Art Unit: 1645

Examiner: K. Shahnan-Shah

RESPONSE

CERTIFICATE OF MAILING

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SHERIDAN ROSS P.C.

BY: *[Signature]*

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

REMARKS

This paper is being submitted in response to the final Office Action dated March 12, 2003. Allowance of all of the currently pending claims (Claims 48-68) is respectfully requested in view of the following remarks.

A. Restriction Requirement

The Examiner's explanation of the reason for the withdrawal from consideration of Claims 54-55, 59, 62 and 65 is appreciated. It is submitted, however, that Claim 55 reads on the elected species, cobalt. In addition, Applicants understand that, in compliance with MPEP 806.04(d), once a generic claim is found allowable, all of the claims drawn to non-elected species will also be allowable.

B. Section 103 Rejection

Claims 48-53, 56-58, 60-61, 63-64 and 66-68 continue to be rejected as being unpatentable over U.S. Patent No. 5,227,307 (Bar-Or et al.) in view of U.S. Patent No. 5,994,339 (Crapo et al.) and U.S. Patent No. 6,375,930 (Young et al.). Applicants respectfully traverse this rejection for the reasons already of record and for the following additional reasons.

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